

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
NATIONAL FOOTBALL LEAGUE  
MANAGEMENT COUNCIL,

Plaintiff,

- v. -

NATIONAL FOOTBALL LEAGUE PLAYERS  
ASSOCIATION,

Defendant  
-----X

NATIONAL FOOTBALL LEAGUE PLAYERS  
ASSOCIATION, on its own behalf and on behalf of  
TOM BRADY,

Petitioner,

- v. -

NATIONAL FOOTBALL LEAGUE and  
NATIONAL FOOTBALL LEAGUE  
MANAGEMENT COUNCIL,

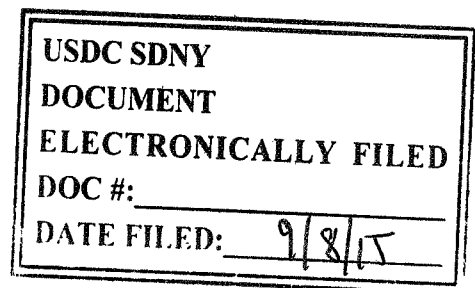
Respondents  
-----X

15-CV-5916 (RMB)(JCF)

**AFFIDAVIT  
IN SUPPORT**

15-CV-5982 (RMB)(JCF)

**AFFIDAVIT  
IN SUPPORT**



STATE OF NEW YORK, COUNTY OF NEW YORK ss:

I, Michelle McGuirk, of full age, state under penalty of perjury as intervening party:

1. I submitted an August 25, 2015 letter on August 26, 2015 to Hon. Richard Berman, U.S. District Judge and Magistrate Judge James C. Frances requesting a pre-motion conference on August 31, 2015 per Individual Practice Rule 2.A to intervene as a Friend of the Court per Fed.R.Civ.Pr. (24)(b)(1)(B).

2. Plaintiff National Football League Management Council ("NFLMC") counsel accepted letter in ¶1 on August 26, 2015 (Exh. 1) and do not oppose action.

3. NFLMC President Roger Goodell as Interested Party or designee accepted letter in ¶1 on August 26, 2015 (Exh. 2) and do not oppose action.

4. Defendant National Football League Players Association (“NFLPA”) counsel and Executive Director accepted letter in ¶1 on August 26, 2015 (Exh. 3) and August 27, 2015 (Exh. 4), respectively, and do not oppose action.

5. Counsel for Tom Brady as Interested Party accepted letter in ¶1 on August 27, 2015 (Exh. 5) and do not oppose action by replying within three (3) days.

6. Per Docket minute entry, parties appeared at the August 31, 2015 conference in Court, with no one opposing this motion to my knowledge. Per Docket #45, Judge Berman inferred time-is-of-the essence, with decision expected shortly.

7. Per Docket #3, NFLMC disclosed no corporate parent despite negative \$12 million in equity per Form 990 at December 31, 2013 (Exh. 6). This statement showing insolvency infers an undisclosed affiliate entity with financial resources.

8. NFLMC’s 2013 Form 990 shows \$4.6 million of expenses to Akin Gump (~43% of legal costs). Akin Gump disclosed no conflicts-of-interest to this Court.

9. NFLMC lists Akin, Gump, Strauss, Hauer & Feld, LLP’s Washington D.C. address on a request (Docket #6) and issuance of Summons despite no alleged business license in that district, no N.Y. licensed entity in that name and service of process upon a law student for NFLPA with undisclosed conflicts-of-interest.

10. Ruby J. Krajick, Clerk of Court, granted the NFLMC per Robert H. Pees of Akin Gump issuance of an “Electronic Summons” on July 28, 2015 from an alleged New York address to Defendant NFLPA in Washington D.C. (Docket #6,9).

11. The NFLPA’s Form 990 shows positive equity of \$218 million and \$190 million for 2013 and 2012, respectively (Exh. 7). The NFLPA does not disclose in the form 990 it is a Virginia-based corporation nor does it name NFL as a related party.

12. NFLPA's 2013 Form 990 shows \$2.9 million of expenses to Winston & Strawn LLP (~65% of legal costs) and \$3 million in compensation to its Executive Director. Winston & Strawn disclosed no conflicts of interest to this Court.

13. The National Football League ("NFL") Form 990 shows negative equity of \$741 million, \$304 million and \$316 million in 2013, 2012 and 2011 (Exh. 8,9).

14. The NFL jointly administers bank funds for thirty-two (32) member clubs with ~\$3.6 billion in inflows and ~\$3.5 billion in outflows in Form 990 for 2013 (Exh. 10). This permits statute of limitations up to ten (10) years per the Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA").

15. The NFL's 2013 expenses include \$8.1 million to Covington & Burling (a firm that employs Lorin Reisner's former superior, Eric Holder) and \$7.4 million to Paul, Weiss, Rifkind, Garrison & Wharton, LLP, the lead investigator in this case with partners Ted Wells and Mr. Reisner, and as defendant firm for In Re: NFL Players' Concussion Injury Litigation in E.D. of Penn. (Case 2:12-md-0232).

16. The Civil Cover Sheet and NFLMC Complaint (Docket #4,5) states labor law as cause for jurisdiction of NFLMC and NFLPA. Per transferred case and Order (Docket #20), diversity of jurisdiction is believed to apply as Mr. Brady may not have residency without property recorded at the N.Y.C. Department of Finance.

17. Subject matter jurisdiction is proffered in controversy as Constitution and Bylaws §8.3(A) grants no authority to the Commissioner to oversee disputes between member clubs. Mr. Goodell does not refer to the NFL Constitution or Bylaws, but does state a *Fifth* fact that the NFL received a complaint from member club the Colts (Docket #28-236, Final Decision on Art. 46 Appeal of Tom Brady).

18. The NFL Commissioner's authority is granted by the Constitution and Bylaws of the National Football League ("NFL") Effective Feb. 1, 1997 (rev. 2006). The *Memorandum of Law of Defendants National Football League and NFL Properties LLC* dated August 30, 2012 in case per ¶15 above, footnote 4 says "The NFL Constitution was bargained over and included within the scope of the CBA". While the Constitution is only incorporated by reference (per page thirty (30)), copies on the internet have a 'security block' to prevent public printing (Exh. 11).

19. Mr. Goodell, NFLMC President and alleged NFL Commissioner, was paid \$35.0M, \$44.2M and \$29.5M in 2013, 2012 and 2011 per Forms 990 (Exh. 12). These payments violate the Constitution and By-Laws per §8.2 as a Commissioner must have "no financial interest, direct or indirect" in any professional sport.

20. Per §16, Mr. Goodell cannot have authority, including §8.13 or §8.14, under the Constitution or Article 46 of the Collective Bargaining Agreement.

21. Facts ¶11-¶14 of Complaint (Docket #4) are in controversy for Mr. Goodell's alleged lack of authority to conduct a hearing June 23, 2015 for Mr. Brady.

22. Fact ¶6 of Complaint is in controversy and discriminates by gender.

23. Facts ¶7-¶9 of Complaint are in controversy for Mr. Goodell's alleged lack of authority and non-compliance with CBA and Constitution to be independent.

24. The Complaint's Count 1 lacks veracity without proof of compliance with the CBA or Constitution, Federal Rules of Civil or Criminal Procedure, Federal Rules of Evidence and/or respect for employee rights and without a fair hearing.

25. Mr. Goodell's statement "I do not have any first-hand knowledge of the events at issue here" (Docket #28-234, Art. 46 Appeal Decision on Discovery) infers he is not the Commissioner as only that person has authority to hire counsel.

26. I do not believe that Mr. Brady's counsel, Donald H. Yee, disclosed to parties conflicts-of-interest that he also represents Mr. Brady's backup quarterback.

27. In Final Decision on Art. 46: Appeal of Tom Brady (Docket #28-236) Mr. Goodell claims to be bound to issues of "fairness and consistency of treatment among players similarly situated" (p. 5) yet fails to investigate others (Footnote 15) or make inquiries of all NFL teams generally to identify systemic risks.

28. The NFLMC's Art. 46 Final Decision basis for discipline (Section V) was deemed similar to a first violation governing performance enhancing drugs, a analogy that carries reputational risk toward Mr. Brady.

29. Neither NFLMC's Memorandum of Law for Motion to Confirm Arbitration Award (Docket #35) or the NFLPA's Memorandum of Law to Vacate Arbitration Award (Docket #36) states compliance with Constitution or Bylaws.

30. Submissions that do not conform to Individual Rule 2.C may be stricken: i) Docket #17 is not double-spaced; ii) NFLMC's nineteen (19) page memo of law (Docket #35), NFLPA's twenty-one (21) page memo (Docket #36) and memo to oppose confirming arbitration (Docket #40) exceeds maximum pages.

31. To my knowledge, counsel may need to comply with Local Rule 1.3.

Sworn to before me this 3<sup>rd</sup> day of  
September, 2015.

  
Notary Public

JUNISE JAIME  
Notary Public, State of New York  
Reg. No. 04JA6325007  
Qualified in New York County  
Commission Expires May 18, 2019

Dated: September 3<sup>rd</sup>, 2015

  
Michelle McGuirk, Friend of the Court  
P.O. Box 369, New York, NY 10113-369



Date: August 26, 2015

Michelle McGuirk:

The following is in response to your August 26, 2015 request for delivery information on your Priority Mail Express® item number EK891521592US. The delivery record shows that this item was delivered on August 26, 2015 at 10:23 am in NEW YORK, NY 10017 to M CASTILLO. The scanned image of the recipient information is provided below.

Signature of Recipient :

signature	X <i>M. L. Castillo</i>
printed name	Melvin Castillo

Address of Recipient :

delivery address	200 Park Ave
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Thank you for selecting the Postal Service for your mailing needs.

If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,  
United States Postal Service

15-CV-5916 and 15-CV-5982 Affidavit in Support - EXhibit 1

Case 15-cv-5916 and Case 15-cv-5982: Motion to Intervene, Affidavit, Exh. 2

Tracking Number: 9505513233835237042714

Hello  
Michelle  
McGuirk,

Thank you  
for using  
USPS.com.

This is a post-only message. Please do not respond.

Michelle McGuirk has requested that you receive the current USPS Tracking™ information, as shown below.

Current USPS Tracking™ e-mail information provided by the U.S. Postal Service.

Tracking Number: 9505513233835237042714

On Time  
Expected Delivery Date: August 26, 2015

Service Type: USPS Tracking™

Shipment Activity	Location	Date & Time
Delivered	NEW YORK, NY 10154	August 26, 2015 4:10 pm
Out for Delivery	NEW YORK, NY 10154	August 26, 2015 8:54 am
Sorting Complete	NEW YORK, NY 10154	August 26, 2015 8:44 am
Arrived at Post Office	NEW YORK, NY 10022	August 26, 2015 7:49 am
Departed USPS Facility	NEW YORK, NY 10199	August 25, 2015 8:05 pm
Arrived at USPS Facility	NEW YORK, NY 10199	August 25, 2015 8:02 pm
Departed Post Office	NEW YORK, NY 10011	August 25, 2015 5:05 pm
Acceptance	NEW YORK, NY 10011	August 25, 2015 4:51 pm

USPS has not verified the validity of any email addresses submitted via its online USPS Tracking™ tool.

For more information, or if you have additional questions on USPS Tracking™ services and



Date: August 26, 2015

Michelle McGuirk:

The following is in response to your August 26, 2015 request for delivery information on your Priority Mail Express® item number EK891521589US. The delivery record shows that this item was delivered on August 26, 2015 at 11:34 am in WASHINGTON, DC 20036 to H D. There is no delivery signature on file for this item.

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,  
United States Postal Service

15-cv-5916 and 15-cv-5982 Affidavit in Support - Exhibit 3



Case 15-cv-5916 and Case 15-cv-5982: Motion to Intervene, Affidavit, Exh. 4



Tracking Number:  
9505513233835237042707

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Michelle Mcguirk has requested that you receive a USPS Tracking™ update, as shown below.

USPS Tracking™ e-mail update information provided by the U.S. Postal Service.

Tracking Number: 9505513233835237042707

On Time

Expected Delivery Date: August 27, 2015

Service Type: USPS Tracking™

Shipment Activity	Location	Date & Time
Delivered, In/At Mailbox	WASHINGTON, DC 20036	August 27, 2015 11:59 am
Arrived at Post Office	WASHINGTON, DC 20036	August 27, 2015 8:20 am
Departed USPS Facility	WASHINGTON, DC 20066	August 27, 2015 8:07 am
Arrived at USPS Destination Facility	WASHINGTON, DC 20066	August 27, 2015 4:20 am
Arrived at USPS Origin Facility	JERSEY CITY, NJ 07097	August 25, 2015 8:49 pm
Departed Post Office	NEW YORK, NY 10011	August 25, 2015 5:05 pm
Acceptance	NEW YORK, NY 10011	August 25, 2015 4:51 pm

Case 15-cv-5916 and Case 15-cv-5982: Motion to Intervene, Affidavit, Exh. 5



Tracking Number:  
9505513233835237042684

Hello Michelle McGuirk,

Thank you for using  
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Current USPS Tracking™ e-mail information provided by the U.S. Postal Service.

Tracking Number: 9505513233835237042684

Expected Delivery Date: August 27, 2015

Service Type: USPS Tracking™

Shipment Activity	Location	Date & Time
Delivered, In/At Mailbox	WASHINGTON, DC 20036	August 27, 2015 8:48 am
Arrived at USPS Destination Facility	WASHINGTON, DC 20066	August 27, 2015 4:25 am
Departed USPS Facility	JERSEY CITY, NJ 07097	August 25, 2015 10:04 pm
Arrived at USPS Origin Facility	JERSEY CITY, NJ 07097	August 25, 2015 8:48 pm
Departed Post Office	NEW YORK, NY 10011	August 25, 2015 5:04 pm
Acceptance	NEW YORK, NY 10011	August 25, 2015 4:51 pm

USPS has not verified the validity of any email addresses submitted via its online USPS Tracking™ tool.

**Form 990** **Return of Organization Exempt From Income Tax** OMB No 1545-0047  
 Department of the Treasury Internal Revenue Service  
 Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)  
 Do not enter Social Security numbers on this form as it may be made public. By law, the IRS generally cannot redact the information on the form.  
 Information about Form 990 and its instructions is at [www.irs.gov/form990](http://www.irs.gov/form990)  
**2013**  
**Open to Public Inspection**

**A** For the 2013 calendar year, or tax year beginning 04-01-2013, 2013, and ending 03-31-2014

**B** Check if applicable:  
☐ Address change  
☐ Name change  
☐ Initial return  
☐ Terminated  
☐ Amended return  
☐ Application pending

**C** Name of organization: NFL Management Council  
 Doing Business As:  
 Number and street (or P.O. box if mail is not delivered to street address) Room/suite: 345 Park Avenue  
 City or town, state or province, country, and ZIP or foreign postal code: New York, NY 10154

**D** Employer identification number: 13-2698305  
**E** Telephone number: (212) 450-2220  
**G** Gross receipts \$ 27,310,281

**F** Name and address of principal officer:  
**H(a)** Is this a group return for subordinates? ☐ Yes ☒ No  
**H(b)** Are all subordinates included? ☐ Yes ☒ No  
 If "No," attach a list (see instructions)  
**H(c)** Group exemption number:  
**I** Tax-exempt status: ☐ 501(c)(3) ☒ 501(c)(6) (insert no.) ☐ 4947(a)(1) ☐ 527  
**J** Website: N/A  
**K** Form of organization: ☐ Corporation ☐ Trust ☒ Association ☐ Other  
**L** Year of formation: **M** State of legal domicile: NY

Part I Summary		Prior Year	Current Year
Activities & Governance	1 Briefly describe the organization's mission or most significant activities: Labor negotiations on behalf of the National Football League member clubs.		
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	9
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	9
	5 Total number of individuals employed in calendar year 2013 (Part V, line 2a)	5	38
	6 Total number of volunteers (estimate if necessary)	6	
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
Revenue	b Net unrelated business taxable income from Form 990-T, line 34	7b	
	8 Contributions and grants (Part VIII, line 1h)		0
	9 Program service revenue (Part VIII, line 2g)	25,100,000	26,000,000
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	2,269	23,746
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	1,504,449	1,286,535
	12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	26,606,718	27,310,281
	13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	754,668	752,199
Expenses	14 Benefits paid to or for members (Part IX, column (A), line 4)		0
	15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)	6,418,057	3,645,900
	16a Professional fundraising fees (Part IX, column (A), line 11e)		0
	b Total fundraising expenses (Part IX, column (D), line 25) <sup>0</sup>		
	17 Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	27,423,118	26,811,722
	18 Total expenses Add lines 13–17 (must equal Part IX, column (A), line 25)	34,595,843	31,209,821
	19 Revenue less expenses Subtract line 18 from line 12	-7,989,125	-3,899,540
Net Assets or Fund Balances	20 Total assets (Part X, line 16)	8,925,448	5,338,057
	21 Total liabilities (Part X, line 26)	17,738,118	17,655,594
	22 Net assets or fund balances Subtract line 21 from line 20	-8,812,670	-12,317,537

**Part II Signature Block**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

**Sign Here**  
 Signature of officer: Roger Goodell President  
 Date: 2015-02-17  
 Type or print name and title

**Paid Preparer Use Only**  
 Print/Type preparer's name: Preparer's signature: Date: Check ☐ if self-employed PTIN:  
 Firm's name: Firm's EIN:  
 Firm's address: Phone no:

15-cv-5916 and 15-cv-5982 Affidavit in Support - Exhibit 6

efile GRAPHIC print DO NOT PROCESS As Filed Data	DLN: 93493014011255
<b>Form 990</b> Department of the Treasury Internal Revenue Service	<b>Return of Organization Exempt From Income Tax</b> Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations) Do not enter Social Security numbers on this form as it may be made public. By law, the IRS generally cannot redact the information on the form. Information about Form 990 and its instructions is at <a href="http://www.irs.gov/form990">www.irs.gov/form990</a>
OMB No 1545-0047	<b>2013</b> Open to Public Inspection

<b>A For the 2013 calendar year, or tax year beginning 03-01-2013, 2013, and ending 02-28-2014</b>	
<b>B</b> Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	<b>C</b> Name of organization NATIONAL FOOTBALL LEAGUE PLAYERS ASSOCIATION Doing Business As Number and street (or P.O. box if mail is not delivered to street address) Room/suite 1133 20TH STREET NW City or town, state or province, country, and ZIP or foreign postal code WASHINGTON, DC 20036
<b>D</b> Employer identification number 52-1169809	<b>E</b> Telephone number (202) 756-9100
<b>F</b> Name and address of principal officer DEMAURICE SMITH 1133 20TH STREET NW WASHINGTON, DC 20036	<b>G</b> Gross receipts \$ 158,071,584 <b>H(a)</b> Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>H(b)</b> Are all subordinates included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "No," attach a list (see instructions) <b>H(c)</b> Group exemption number
<b>I</b> Tax-exempt status <input type="checkbox"/> 501(c)(3) <input checked="" type="checkbox"/> 501(c)(5) (insert no) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527	<b>J</b> Website: <a href="http://WWW.NFLPA.COM">WWW.NFLPA.COM</a>
<b>K</b> Form of organization <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other	<b>L</b> Year of formation 1956 <b>M</b> State of legal domicile VA

Part I Summary		Prior Year	Current Year	
Activities & Governance	1 Briefly describe the organization's mission or most significant activities: SEE SCHEDULE O			
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets			
	3 Number of voting members of the governing body (Part VI, line 1a)	3	32	
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	0	
	5 Total number of individuals employed in calendar year 2013 (Part V, line 2a)	5	91	
Revenue	6 Total number of volunteers (estimate if necessary)	6	0	
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0	
	7b Net unrelated business taxable income from Form 990-T, line 34	7b	0	
	8 Contributions and grants (Part VIII, line 1h)	0	0	
	9 Program service revenue (Part VIII, line 2g)	21,211,771	21,626,950	
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	7,017,635	10,122,058	
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	32,315,296	34,147,959	
	12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	60,544,702	65,896,967	
	Expenses	13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)	190,642	428,455
		14 Benefits paid to or for members (Part IX, column (A), line 4)	216,987	211,751
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)		15,231,145	16,112,104	
16a Professional fundraising fees (Part IX, column (A), line 11e)		0	0	
b Total fundraising expenses (Part IX, column (D), line 25) 0				
17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)		25,016,949	23,154,742	
18 Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)		40,655,723	39,907,052	
19 Revenue less expenses Subtract line 18 from line 12		19,888,979	25,989,915	
Net Assets or Fund Balances	20 Total assets (Part X, line 16)	223,272,139	241,444,866	
	21 Total liabilities (Part X, line 26)	33,192,223	23,502,500	
	22 Net assets or fund balances Subtract line 21 from line 20	190,079,916	217,942,366	

Part II Signature Block	
Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.	

Sign Here	***** Signature of officer DEMAURICE SMITH EXECUTIVE DIRECTOR Type or print name and title	2015-01-14 Date
	Print/Type preparer's name JOANN WOODSON CPA Preparer's signature CALIBRE CPA GROUP PLLC Firm's address 7501 WISCONSIN AVENUE SUITE 1200 WEST BETHESDA, MD 20814	Date Check <input type="checkbox"/> if self-employed PTIN P01293745 Firm's EIN 47-0900880 Phone no. (202) 331-9880

May the IRS discuss this return with the preparer shown above? (see instructions)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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15-cv-5916 and 15-cv-5902 - Affidavit in Support - Exhibit 7

Form 990

Department of the Treasury  
Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)  
Do not enter Social Security numbers on this form as it may be made public. By law, the IRS generally cannot redact the information on the form.  
Information about Form 990 and its instructions is at [www.irs.gov/form990](http://www.irs.gov/form990).

2013

Open to Public Inspection

**A For the 2013 calendar year, or tax year beginning 04-01-2013, 2013, and ending 03-31-2014**

**B** Check if applicable:  
☐ Address change  
☐ Name change  
☐ Initial return  
☐ Terminated  
☐ Amended return  
☐ Application pending

**C** Name of organization: National Football League  
Doing Business As:  
Number and street (or P.O. box if mail is not delivered to street address): 345 Park Avenue  
Room/suite:  
City or town, state or province, country, and ZIP or foreign postal code: New York, NY 10154

**D** Employer identification number: 13-1922622

**E** Telephone number: (212) 450-2000

**G** Gross receipts \$ 294,458,939

**F** Name and address of principal officer:

**H(a)** Is this a group return for subordinates? ☐ Yes ☒ No  
**H(b)** Are all subordinates included? ☐ Yes ☒ No  
If "No," attach a list (see instructions)  
**H(c)** Group exemption number:

**I** Tax-exempt status: ☐ 501(c)(3) ☒ 501(c)(6) (insert no.) ☐ 4947(a)(1) or ☐ 527

**J** Website: [www.nfl.com](http://www.nfl.com)

**K** Form of organization: ☐ Corporation ☐ Trust ☒ Association ☐ Other

**L** Year of formation: 1920 **M** State of legal domicile: NY

Part I Summary			
Activities & Governance	1 Briefly describe the organization's mission or most significant activities: Trade association promoting interests of its 32 member clubs		
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	2
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	0
	5 Total number of individuals employed in calendar year 2013 (Part V, line 2a)	5	1,795
	6 Total number of volunteers (estimate if necessary)	6	
Revenue	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
	7b Net unrelated business taxable income from Form 990-T, line 34	7b	
	8 Contributions and grants (Part VIII, line 1h)	Prior Year	Current Year
	9 Program service revenue (Part VIII, line 2g)	325,884,549	294,069,970
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	48,032	38,969
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	950,206	350,000
	12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	326,882,787	294,458,939
	13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	1,441,087	1,361,929
	14 Benefits paid to or for members (Part IX, column (A), line 4)		0
	15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)	102,316,660	100,743,850
Expenses	16a Professional fundraising fees (Part IX, column (A), line 11e)		0
	b Total fundraising expenses (Part IX, column (D), line 25) <sup>0</sup>		
	17 Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	214,129,001	205,801,399
	18 Total expenses Add lines 13–17 (must equal Part IX, column (A), line 25)	317,886,748	307,907,178
	19 Revenue less expenses Subtract line 18 from line 12	8,996,039	-13,448,239
Net Assets or Fund Balances	20 Total assets (Part X, line 16)	Beginning of Current Year	End of Year
	21 Total liabilities (Part X, line 26)	788,113,036	727,736,666
	22 Net assets or fund balances Subtract line 21 from line 20	1,092,575,298	1,469,402,401
		-304,462,262	-741,665,735

**Part II Signature Block**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

**Sign Here**

Signature of officer: \_\_\_\_\_ Date: 2015-02-17

Roger Goodell Commissioner  
Type or print name and title

**Paid Preparer Use Only**

Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
Firm's name			Firm's EIN	
Firm's address			Phone no.	

May the IRS discuss this return with the preparer shown above? (see instructions) ☐ Yes ☒ No

15-cv-5916 and 15-cv-5982 - Affidavit in Support - Exhibit 8



Form <b>990</b> Department of the Treasury Internal Revenue Service	<b>Return of Organization Exempt From Income Tax</b> Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation) The organization may have to use a copy of this return to satisfy state reporting requirements	OMB No 1545-0047 <b>2011</b> Open to Public Inspection
---	---	--

<b>A</b> For the 2011 calendar year, or tax year beginning 04-01-2011 and ending 03-31-2012									
<b>B</b> Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	<table border="1"> <tr> <td><b>C</b> Name of organization National Football League</td> <td><b>D</b> Employer identification number 13-1922622</td> </tr> <tr> <td>Doing Business As</td> <td><b>E</b> Telephone number (212) 450-2000</td> </tr> <tr> <td>Number and street (or P O box if mail is not delivered to street address) Room/suite 345 Park Avenue</td> <td><b>G</b> Gross receipts \$ 255,332,000</td> </tr> <tr> <td>City or town, state or country, and ZIP + 4 New York, NY 10154</td> <td></td> </tr> </table>	<b>C</b> Name of organization National Football League	<b>D</b> Employer identification number 13-1922622	Doing Business As	<b>E</b> Telephone number (212) 450-2000	Number and street (or P O box if mail is not delivered to street address) Room/suite 345 Park Avenue	<b>G</b> Gross receipts \$ 255,332,000	City or town, state or country, and ZIP + 4 New York, NY 10154	
<b>C</b> Name of organization National Football League	<b>D</b> Employer identification number 13-1922622								
Doing Business As	<b>E</b> Telephone number (212) 450-2000								
Number and street (or P O box if mail is not delivered to street address) Room/suite 345 Park Avenue	<b>G</b> Gross receipts \$ 255,332,000								
City or town, state or country, and ZIP + 4 New York, NY 10154									
<b>F</b> Name and address of principal officer Roger Goodell 345 Park Avenue New York, NY 10154	<b>H(a)</b> Is this a group return for affiliates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>H(b)</b> Are all affiliates included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "No," attach a list (see instructions) <b>H(c)</b> Group exemption number								
<b>I</b> Tax-exempt status <input type="checkbox"/> 501(c)(3) <input checked="" type="checkbox"/> 501(c)(6) (insert no) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527									
<b>J</b> Website: www.nfl.com									
<b>K</b> Form of organization <input type="checkbox"/> Corporation <input type="checkbox"/> Trust <input checked="" type="checkbox"/> Association <input type="checkbox"/> Other	<b>L</b> Year of formation 1920 <b>M</b> State of legal domicile NY								

Part I Summary				
Activities & Governance	<b>1</b> Briefly describe the organization's mission or most significant activities Trade association promoting interests of its 32 member clubs			
	<b>2</b> Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets			
	<b>3</b> Number of voting members of the governing body (Part VI, line 1a)	3	2	
	<b>4</b> Number of independent voting members of the governing body (Part VI, line 1b)	4	0	
	<b>5</b> Total number of individuals employed in calendar year 2011 (Part V, line 2a)	5	1,546	
	<b>6</b> Total number of volunteers (estimate if necessary)	6		
	<b>7a</b> Total unrelated business revenue from Part VIII, column (C), line 12	7a	0	
<b>7b</b> Net unrelated business taxable income from Form 990-T, line 34	7b			
Revenue	<b>8</b> Contributions and grants (Part VIII, line 1h)	8	0	
	<b>9</b> Program service revenue (Part VIII, line 2g)	240,490,138	254,564,343	
	<b>10</b> Investment income (Part VIII, column (A), lines 3, 4, and 7d)	270,439	183,157	
	<b>11</b> Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	240,000	584,500	
	<b>12</b> Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	241,000,577	255,332,000	
Expenses	<b>13</b> Grants and similar amounts paid (Part IX, column (A), lines 1-3)	917,316	2,363,515	
	<b>14</b> Benefits paid to or for members (Part IX, column (A), line 4)		0	
	<b>15</b> Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	80,411,642	107,779,922	
	<b>16a</b> Professional fundraising fees (Part IX, column (A), line 11e)		0	
	<b>b</b> Total fundraising expenses (Part IX, column (D), line 25) <input type="checkbox"/> 0			
	<b>17</b> Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	211,866,666	222,817,420	
	<b>18</b> Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)	293,195,624	332,960,857	
<b>19</b> Revenue less expenses Subtract line 18 from line 12	-52,195,047	-77,628,857		
Net Assets or Fund Balances	<b>20</b> Total assets (Part X, line 16)	872,947,229	822,763,903	
	<b>21</b> Total liabilities (Part X, line 26)	1,100,226,250	1,139,406,357	
	<b>22</b> Net assets or fund balances Subtract line 21 from line 20	-227,279,021	-316,642,454	

Part II Signature Block	
Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.	

<b>Sign Here</b>	***** Signature of officer	2013-02-15 Date		
	Roger Goodell Commissioner Type or print name and title			
<b>Paid Preparer's Use Only</b>	Preparer's signature	Date	Check if self-employed <input type="checkbox"/>	Preparer's taxpayer identification number (see instructions)
	Firm's name (or yours if self-employed), address, and ZIP + 4			EIN
				Phone no

May the IRS discuss this return with the preparer shown above? (see instructions)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

15-cv-5916 and 15-cv-5982 - Affidavit in Support - Exhibit 9

Schedule D (Form 990) 2013

Page 4

**Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return** Complete if the organization answered 'Yes' to Form 990, Part IV, line 12a.

Total revenue, gains, and other support per audited financial statements		<b>1</b>	309,203,705
Amounts included on line 1 but not on Form 990, Part VIII, line 12			
<b>a</b> Net unrealized gains on investments	<b>2a</b>	1,703,939	
<b>b</b> Donated services and use of facilities	<b>2b</b>		
<b>c</b> Recoveries of prior year grants	<b>2c</b>		
<b>d</b> Other (Describe in Part XIII)	<b>2d</b>	13,040,827	
<b>e</b> Add lines <b>2a</b> through <b>2d</b>		<b>2e</b>	14,744,766
Subtract line <b>2e</b> from line <b>1</b>		<b>3</b>	294,458,939
Amounts included on Form 990, Part VIII, line 12, but not on line 1:			
<b>a</b> Investment expenses not included on Form 990, Part VIII, line 7b	<b>4a</b>		
<b>b</b> Other (Describe in Part XIII)	<b>4b</b>		
<b>c</b> Add lines <b>4a</b> and <b>4b</b>		<b>4c</b>	
Total revenue Add lines <b>3</b> and <b>4c</b> . (This must equal Form 990, Part I, line 12)		<b>5</b>	294,458,939

**Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return.** Complete if the organization answered 'Yes' to Form 990, Part IV, line 12a.

Total expenses and losses per audited financial statements		<b>1</b>	746,407,178
Amounts included on line 1 but not on Form 990, Part IX, line 25			
<b>a</b> Donated services and use of facilities	<b>2a</b>		
<b>b</b> Prior year adjustments	<b>2b</b>		
<b>c</b> Other losses	<b>2c</b>		
<b>d</b> Other (Describe in Part XIII)	<b>2d</b>	438,500,000	
<b>e</b> Add lines <b>2a</b> through <b>2d</b>		<b>2e</b>	438,500,000
Subtract line <b>2e</b> from line <b>1</b>		<b>3</b>	307,907,178
Amounts included on Form 990, Part IX, line 25, but not on line 1:			
<b>a</b> Investment expenses not included on Form 990, Part VIII, line 7b	<b>4a</b>		
<b>b</b> Other (Describe in Part XIII)	<b>4b</b>		
<b>c</b> Add lines <b>4a</b> and <b>4b</b>		<b>4c</b>	
Total expenses Add lines <b>3</b> and <b>4c</b> . (This must equal Form 990, Part I, line 18)		<b>5</b>	307,907,178

**Part XIII Supplemental Information**

Provide the descriptions required for Part II, lines 3, 5, and 9, Part III, lines 1a and 4, Part IV, lines 1b and 2b, Part V, line 4, Part X, line 2, Part XI, lines 2d and 4b, and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

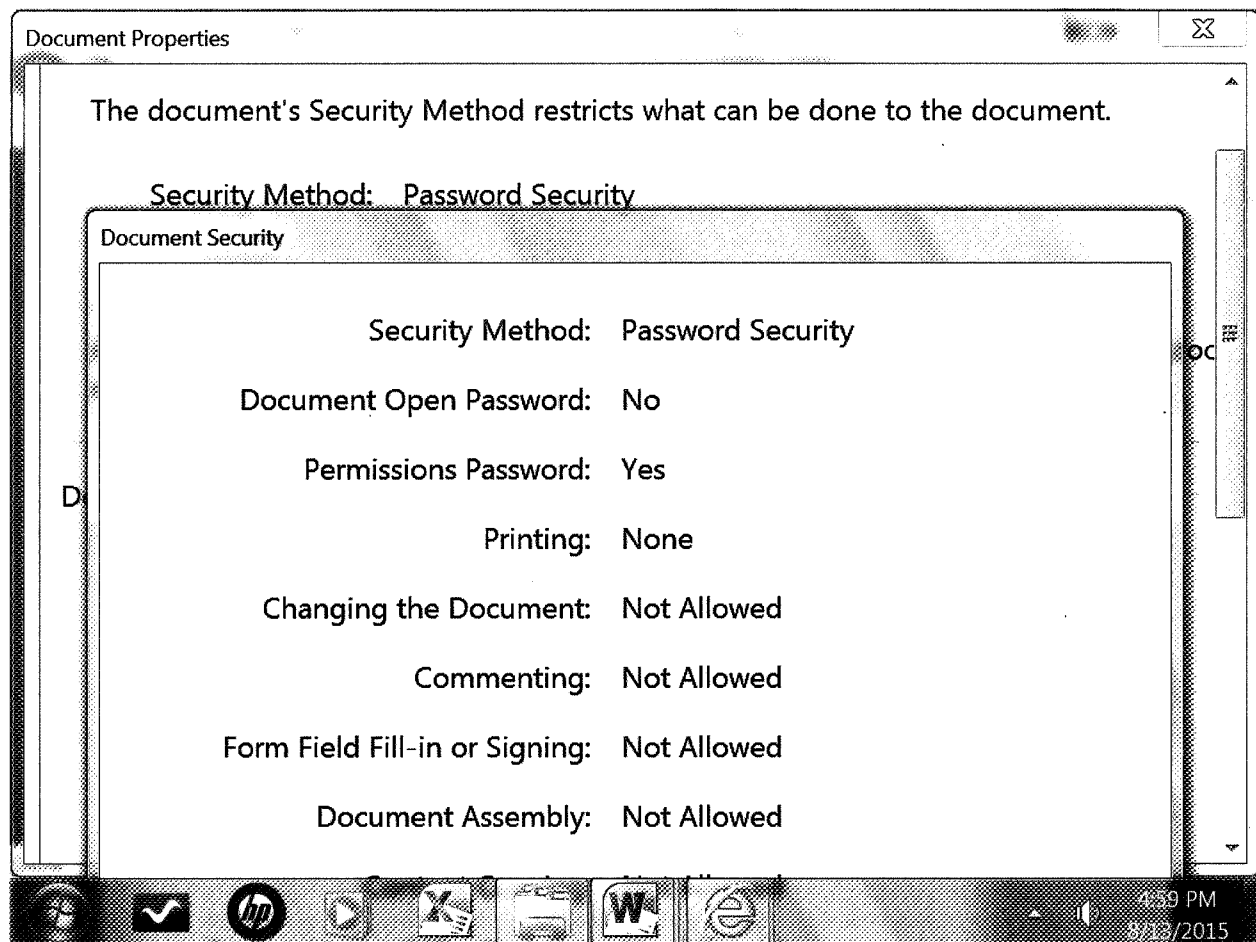
Return Reference	Explanation
Part IV, Line 1b Why is organization agent, trustee, custodian or other intermediary for contrib	NFL administers bank funds owned jointly by all 32 member clubs on their behalf Additions during the year totaled \$3,550,474,000 and distributions totaled \$3,483,813,000 Beginning net asset balance totaled \$235,023,000 and ending net asset balance totaled \$301,684,000
Part X FIN48 Footnote	Effective April 1, 2009, in accounting for uncertainty in income taxes, the League Office determines whether a tax position of the League Office is more likely than not to be sustained upon examination by the applicable taxing authority, including the resolution of any related appeals or litigation processes, based on the technical merits of the position. The League Office reviews and evaluates tax positions in its major jurisdictions and determines whether or not there are uncertain tax positions that require financial statement recognition and the recording of a liability. Based on this review, the League Office has determined that the adoption of the guidance for uncertainty in income taxes had no impact on its financial statements. The League Office had no unrecognized tax benefits and, consequently, had no accrued interest and penalties thereto as of April 1, 2013 and March 31, 2014. The League Office does not expect its unrecognized tax benefits balance to change in the next twelve months. The League Office is generally no longer subject to tax examinations by tax authorities for years prior to March 31, 2011.
Part XI, Line 2d Other revenue amounts included in F/S but not included on form 990	Minimum Pension Liability Adjustment \$13040827
Part XII, Line 2d Other expenses and losses per audited F/S	Litigation Settlement Reserve \$438500000

Schedule D (Form 990) 2013

15-cv-5916 and 15-cv-5982 - Affidavit in Support - Exhibit 10

Case 15-cv-5916 and Case 15-cv-5982: Motion to Intervene, Affidavit in Support, Exh. 11

Constitution and ByLaws of the National Football League Effective Feb. 1, 1970 (2006 Rev)





**Part II Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees.** Use duplicate copies if additional space is needed.

For each individual whose compensation must be reported in Schedule J, report compensation from the organization on row (i) and from related organizations, described in the instructions, on row (ii). Do not list any individuals that are not listed on Form 990, Part VII.

Note. The sum of columns (B)(i)-(iii) for each listed individual must equal the total amount of Form 990, Part VII, Section A, line 1a, applicable column (D) and (E) amounts for that individual.

(A) Name and Title	(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported as deferred in prior Form 990
	(i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation				
1) Eric Grubman EVP us Ventures	(i) (ii) 1,096,000	2,634,000	37,000	34,000	27,000	3,828,000	200,000
2) Jeff Pash EVP & en Counsel	(i) (ii) 1,295,000	4,487,000	58,000	1,638,000	27,000	7,505,000	1,332,000
3) Joseph Siciare CFO	(i) (ii) 498,000	1,344,000	31,000	534,000	30,000	2,437,000	100,000
4) Ray Anderson EVP ootball Ops	(i) (ii) 563,000	873,000	32,000	385,000	30,000	1,883,000	368,000
5) Robert Gulliver EVP f Human Res	(i) (ii) 498,000	1,020,000	157,000	534,000	27,000	2,236,000	138,000
6) Roger Goodell ommissioner	(i) (ii) 3,487,000	31,114,000	341,000	34,000	41,000	35,017,000	
7) Steve Bornstein VP of Media	(i) (ii) 1,992,000	3,075,000	54,000	34,000	25,000	5,180,000	

Schedule J (Form 990) 2013

15-cv-5916 and 15-cv-5982 - Affidavit in Support - Exhibit 12 (2013)





UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
Pro Se Office

SCANNED

RECEIVED  
PRO SE OFFICE  
2015 SEP 10 A 9:38

To: The Honorable Judge Richard M. Berman  
From: M. Napolitano, Pro Se Intake Clerk, Docket Services, Ext. 1177  
Date: 9/8/2015  
Re: National Football League Management Council v. National Football League Players Association 1:15-cv-05916-RMB-JCF, National Football League Players Association v. National Football League et al 1:15-cv-05982-RMB-JCF

The attached document, which was received by this Office on 9/8/2015, has been submitted to the Court for filing. The document is deficient as indicated below. Instead of docketing the document for public access, it has been docketed as a court-view only docket entry. I am forwarding it to you for your consideration. See Fed. R. Civ. P. 5(d)(2)(B), (4).

- ( ) No original signature.  
( ) No Affirmation of Service/ proof of service.  
(X) Other: Cases are closed. Non-party litigant is filing Motion to Intervene and Motion to Reopen with supporting documents.

If you memo-endorse the filing, you do not need to return this memorandum to the Pro Se Office. Once your memo-endorsement is docketed and filed, all ECF users on the case will be notified.

In the alternative, please return this memorandum with the attached papers to this Office, indicating at the bottom what action should be taken.

(✓) ACCEPT FOR FILING ( ) RETURN TO *PRO SE* LITIGANT

Comments: <u>Application respectfully</u> <u>denied.</u>

*RMB*

United States District Judge

Dated: 9/9/15

United States Magistrate Judge

Dated: